

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRIAN SMITH,

Plaintiff,

v.

LM GENERAL INSURANCE COMPANY,

Defendant.

CIVIL ACTION
NO. 17-02310

ORDER

AND NOW, this 6th day of March, 2018, upon consideration of Defendant LM General Insurance Company's Motion for Partial Summary Judgment (ECF No. 22), Plaintiff's Response (ECF No. 25) and LM General's Reply (ECF No. 28), it is hereby **ORDERED** that the Motion (ECF No. 22) is **GRANTED**. Judgment is entered for the Defendant on Count II of the Plaintiff's Complaint.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.